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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/014,625 10/22/2001 Stephen J. Hawkins 56937US002 1418

32692 7590 12/18/2006
3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL, MN 55133-3427

EXAMINER

ZIRKER, DANIEL R

ART UNIT	PAPER NUMBER
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1771

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS 12/18/2006 PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



Office Action Summary	Application No. 10/014,625	Applicant(s) HAWKINS ET AL.	
	Examiner Daniel Zirker	Art Unit 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 October 2006.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 24,26-28,30-45 and 47 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 24,26-28,30-45 and 47 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 24, 26-28, 30-45 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, in amended method of making claim 45, which all of the dependent claims have been amended to now depend upon, the fact that the claim recites that both the first and second crosslinking agents "may be activated by actinic radiation" is believed to make the claims vague and indefinite, particularly since step "(d)" recites that actinic radiation crosslinks both the primer and the psa layers. Additionally, dependent claim 42 adds to the confusion by reciting that the second crosslinking agent is activated by either UV light (which is actinic radiation) or heat (which is not). Finally, note that claims 30,32,33,39 and 43 each require the presence of Markush language, such as has been used in claim 44.
3. Claims 24, 26-28, 30-45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Babu et al taken in view of Davison, and in further view of St Coeur et al, the latter taken as evidence of the state of the art, substantially for reason already of record, together with the following additional observations. More particularly, applicants argue (Response, page 7, bottom paragraph-page 8) that there is no disclosure in Babu et al which relates to primers that may be cured by actinic radiation, and cites Col 8, lines 50-56 which clearly recites that primers such as are contemplated by applicants may be utilized for improving the adhesion of the adhesive to certain

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substrates. However they ignore the fact that at lines 59-61 this paragraph concludes with the phrase that the resulting structure "forms a special class of substrates on which the composition of the invention (i.e. the adhesive-primer layers) can be coated and subsequently radiation cured to form adhesive transfer films.". Such a teaching the Examiner firmly believes (particularly when taken in view of the considerable skill of the art) would clearly teach one of ordinary skill that it would be highly desirable from an ease of manufacturing concept if not only the psa, but also the sandwiched primer composition were each actinic radiation curable, such by having suitable radiation crosslinkers in both adhesive and primer layers. The Examiner also believes that applicants again fail to grasp the aforementioned process advantages by using actinic radiation activated crosslinkers in both the psa and primer layers of the state of the art reference St Coeur et al when they state that there is no suggestion or motivation for the reference to teach that two layers could be coated and then crosslinked, for reasons that the Examiner has just previously set forth. Finally, applicants' statement (Response, page 9) that the primer layer and the adhesive layer would not crosslink because the resins set forth in Davison are not crosslinkable, this rather broad statement, it is respectfully submitted, has yet to be proven on the record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Zirker whose telephone number is 571-272-1486. The examiner can normally be reached on Monday - Thursday from 8:30 to 6:00. The examiner can also be reached on alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris, can be reached on 571 - 272 - 1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Zirker
Primary Examiner
Art Unit 1771

